

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Mr Dean Davies c/o Mrs Anna Cheney Herbert R Thomas Ltd 11 - 12 Jellicoe Court
Atlantic Wharf Cardiff CF10 4AJ

WHEREAS you submitted an application on the 18th October 2021 to develop: Land North of Merthyr Motor Auctions Pant Road Pant Merthyr Tydfil CF48 3SH short particulars of the application being as follows:-

Name of the Applicant

Mr Dean Davies
Red Barrel House, Pant Road
Dowlais
Merthyr Tydfil
CF48 3SH

Description of Proposed Development

Customer and staff parking area for Merthyr Motor Auctions and associated boundary treatments and hard and soft landscaping (Full)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 13th September 2024

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

CONDITIONS

- 1 The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents:

- Planting Plan and Schedules, Drawing no. 58104 Rev E, received: 22nd May 2024;
- Plant Schedules, Specification and Ground Preparation, Drawing no. 581.05 Rev E, received: 22nd May 2024;
- Landscape Management Plan, Drawing no. 581.06 Rev E, received: 22nd May 2024;
- General Arrangement, Drawing no. 581.01 Rev D, received: 22nd February 2024;
- Parking Layout with Section A to A, Drawing no. 581.02 Rev E, received: 22nd February 2024;
- Section B to B Drawing no. 581.03 Rev D, received: 22nd February 2024;
- Levels Plan A3 L (2), received: 22nd February 2024;
- Levels Plan A3 L, received: 22nd February 2024;
- Figure 4, Rev A, received: 22nd February 2024;
- Figure 5, Rev A, received: 22nd February 2024;
- Figure 6, Rev A, received: 22nd February 2024.
- 2469.R1 - MMA Site C Lighting Report-P6, received: 28th June 2024;
- Be Ecological Ltd, EcIA of the Hafod, Merthyr Tydfil, Issue 1VH, received: 28th June 2026;
- Visual Impact Assessment, mh/581, received: 22nd May 2024;
- Green Infrastructure, Biodiversity Net Gain and Species Note, received: 22nd May 2024;
- Noise Impact Assessment for Proposed Modification to Car Park Area C, received: 22nd February 2024.

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

- 3 **No development shall commence** until the use of the temporary site compound (used in conjunction with the A465 dualling works) which adjoins the southern boundary of the application site has ceased and all buildings, structures, machinery, equipment, and materials brought on to, or erected on this land, or works undertaken to it in connection with the temporary use, have been removed from the site.

Reason - In the interest of highway and pedestrian safety and to maintain the free flow of trunk road traffic in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 The parking spaces hereby approved shall be laid out in accordance with the Parking Layout plan (Drawing no. 581.02 Rev E). The parking spaces shall remain available for staff and customer parking only and the associated turning/manoeuvring area shall be free of any obstruction at all times.

Reason - In the interests of highway and pedestrian safety and to protect the amenities of nearby residents, in accordance with Policies SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 The floodlight hereby approved shall not be illuminated before 8:00am or after 10:00pm on any day.

Reason - In the interest of ecology, to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 6 **Prior to the beneficial use of the car park** hereby approved, full details of the acoustic barrier/fence, including a section plan, its height, design, mass and materials, shall be submitted to and approved by the local planning authority. The acoustic barrier/fence shall be completed in accordance with the approved details prior to the car park being brought into beneficial use and shall be maintained in good condition thereafter.

Reason - To ensure that the new development will be visually attractive and in the interest of residential amenity, to accord with Policies and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 All planting, seeding or turfing comprised in the approved Planting Plan and Schedule (Drawing No. 581/04 Rev E) shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive and in the interest of biodiversity to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. The proposed development may affect a designated public right of way and the applicant is advised to contact the public right of way officer (01685 727309) prior to the commencement of works on-site.
2. The applicant/developer's attention is drawn to the comments received from Welsh Water during the course of this application. Their records indicate that the site is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water, as a statutory undertaker, has statutory powers to access their apparatus at all times.

Prior to the commencement of development, the applicant is strongly advised to contact Welsh Water on 0800 917 2652 regarding diversion works/other works which may be required to accommodate the proposed development.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.